రిజిష్టర్డు నెం. ఎ-118



గుంటూరు జిల్లా రాజపత్రము

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అధికారమువలన ప్రచురించబడినది.

నెం. 11(1) గుంటూరు, 2013వ సంవత్సరము, నవంబరు నెల, 23వ తేది, శనివారము

Copy of:-

PROCEEDINGS OF THE COLLECTOR & DISTRICT MAGISTRATE: GUNTUR

Present : SRI S. SURESH KUMAR, I.A.S.,

[Rc.No. 1514/2012/C4, Date: 06-08-2013]

Sub : Caste verification-Guntur District- Karlapalem Mandal- Ganapavaram Village- Verification of "Scheduled Caste" Certificate issued in favour of Sri Velicherla Yesobu, S/o China Atchaiah - Cancellation of "Hindu Mala - SC" temporary Caste Certificate issued by the Tahsildar, Karlapalem - Orders issued.

Read : 1 Representation of Sri Guduru Jamadagni, S/o Subba Rao, R/o Ganapavaram Village, Karlapalem Mandal filed on 18-08-2012, 27-08-2012, and 15-10-2012

2 This Office Notice, dated 09-11-2012.

3 This office Lr. Rc. 1514/2012/ C4, dated 1-12-2012, 2-12-2012, 1-2-2013, and 6-4-2013.

4 Lr. Rc. C1/40/2013, dated 23-4-2013 of the Dy. Director of Social Welfare, Guntur.

5 Represention filed by Sri Guduru Jamadagni R/o Bapatla, dated 23-4-2013, 27-6-2013 and 3-7-2013.

* * *

ORDER :

Sri Guduru Jamadagni, S/o Subba Rao, native of Ganapavaram Village of Karlapalem Mandal presently residing at Bapatla Town and Mandal has filed a petition stating that he used to go to Ganapavarm Village from Bapatla to look after

the Prawn culture tanks, one day the neighbouring ryots attacked him and broke his hand, than he filed a complaint with the S. H. O., Karlapalem Police Station. With a view to avoid arrest the persons against whom he filed a police complaint foiled a false police case through Velicherla Yesobu, S/o China Atchaiah, resident of Ganapavaram Village of Karlapalem Mandal under provision of SC, ST Atrocity Act. The petitioner alleged that his opponents obtained a false SC caste Certificate from the Tahsildar, Karlapalem on 30-12-2011. Later, the same Tahsildar gave a certificate to the effect that one of the children of Velicherla China Atchaiah and his wife Minnamma belongs to "Christian Mala". He also obtained certificate from the school head master that one of the children of Velicherla China Atchaiah belongs to Christian Mala. He filed the following certificates / Papers with support of his petition, finally requested to examine the certificates, enquire into the matter and cancel the SC certificate issued to Velicherla Yesobu, S/o China Atchaiah.

1. Hindu Mala caste certificate issued by the Tahsildar, Karlapalem in respect of Sri Velicherla Yesobu, S/o China Atchaiah.

2. School certificate issued by the Head Master, Z.P. High School, Chintayapalem in respect of Sri Velicherla Elizar, S/o China Atchaiah.

3. Birth Certificate vide CA No. 75/ 2012/ B, dated 13-3-2012 issued by the Tahsildar, Karlapalem in respect of the third child of Velicherla China Atchaiah.

4. Birth Certificate vide CA No. 12/ 2012/ B, dated 13-2-2012 issued by the Tahsildar, Karlapalem in respect of the Second child of Velicherla China Atchaiah.

5. Birth Certificate vide CA No. / 2012/B, dated 18-7-2012 issued by the Tahsildar, Karlapalem in respect of the fifth child of Velicherla China Atchaiah.

The Collector directed to place the matter before the DLSC for finalizing the case. As per the instructions of the Joint Collector & Chairman of the DLSC, notices were issued to Velicherla Yesobu and the complaint Guduru Jamadagni with a direction to attend before the DLSC on 26-11-2012 and both of them were present before the Committee on 26-11-2012. After hearing the submissions of the both, the Joint Collector & Chairman of the District Level Scrutiny Committee desires the remarks of the Dy. Director, Social Welfare, Guntur to finalise the findings of the DLSC.

In the ref. 4th cited, the Dy. Director, Social Welfare, Guntur has reported that he enquired on 23-4-2013, at the time of enquiry conducted by him, Sri Velicherla Yesobu, S/o China Atchaiah has not co-operated and said that the enquiry has been completed by the revenue official previously and his father Velicherla Atchaiah, brother Velicherla Suvarna Raju were also not attended to the enquiry. The details of the enquiry are as follows :

i) Neighbours Statement :

1. V. Rathnaraju, S/o Yesaiah, aged about 35 years of Ganapavaram Village of Karlapalem Mandal has stated that Sri Velicherla Yesobu, S/o China Atchaiah has known about 20 years back and he gone to church every Sunday. He belongs to BC-C (Mala).

2. Smt. Velicherla Kirana Kumari, W/o Rathna Raju aged about 30 years, she also stated that Sri Velicherla Yesobu, S/o Atchaiah have go to church.

3. Sri Gollamudi Rama Rao, S/o Chinna Aged about 50 years, R/o Ganapavaram Village has stated that they knows very well the entire family members have goes to church they have not followed Hindu culture and traditions.

4. Smt. Gollamudi Suguna, W/o Chennaiah aged about 40 years stated that they belongs to Christian family, they knows very well since 20 years.

5. Sri Kathi Ambaiah, S/o Peddaiah aged about 30 years, also stated that they belongs to BC-C Mala Community.

iii) Village Elders Statement :

1. Kathi Peda Daniel, S/o Bhushanam (Ex-Sarpanch) aged about 43 years has stated that Sri Velicherla Yesobu, S/o China Atchaiah by caste BC-C Mala and he went to Church and celebrate Christian festivals regularly.

2. Sri K. Babu Rao, aged about 38 years stated that Sri Velicherla Yesobu, S/o China Atchaiah belongs to BC-C Mala.

3. Sri Kathi Rajesh, aged about 39 years has also stated that Sri Velicherla Yesobu, S/o China Atchaiah belongs to BC-C Mala.

4. Sri Mukiri Yesu Rathnam, aged about 55 years has stated that Sri Velicherla Yesobu, S/o China Atchaiah belongs to BC-C Mala, they knows since 40 years.

iv) Other Document Proofs :

1. The Tahsildar, Karlapalem issued caste certificate of Hindu Mala to Sri Velicherla Yesobu, S/o China Atchaiah without signature on the caste certificate, dated 30-12-2011.

2. The Headmaster, Z.P.H. School, Chintayapalem has given statement of Sri Velicherla Eliz\aru, S/o China Atchaiah admission No. 2150, studied 8th Class has mentioned caste as Indian Christian Mala (brother of Velicherla Yesobu).

3. The Tahsildar issued birth certificate in Form No. 5 (See Rule - 8) and mentioned date of birth is 20-08-1959 and also mentioned caste as Christian and his father name is Sri Chinna Atchaiah.

4. Sri Velicherla Yesobu, S/o China Atchaiah belongs to Christian Mala basing on the records issued by Tahsildar, Karlapalem.

The Dy. Director, Social Welfare reported that Sri Velicherla Yesobu, S/o China Atchaiah belongs to Christian Mala - BC(C) basing on the above records and the record of enquiry. The DLSC agreed with the report of the Dy. Director, Social Welfare, Guntur that Sri Velicherla Yesobu belongs to Christian Mala and placed the matter before the Collecor & District Collector, Guntur.

The Collector & District Magistrate, Guntur has also agreeing with the recommendations of the District Leve Scrutiny Committee and confirmed that Velicherla Yesobu belongs to Christian Mala -BC(C).

In view of the above, I, Sri Suresh Kumar, I.A.S., Collector & District Magistrate, Guntur in exercise of the powers conferred by the Government under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Community Certificate Act 16 of 1993 read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated vide G. O. Ms. No. 58, Social Welfare(J) Department, dated 12-5-1997, hereby cancel the "HINDU MALA (SC)" temporary caste certificate issued to Velicherla Yesobu, S/o China Atchaiah by the Tahsildar, Karlapalem, dated 30-12-2011.

A notification to this effect shall be published in the A. P. State Gazette.

An appeal lies to the Government against this order within 30 days from the date of receipt of this order.

S. SURESH KUMAR,
Collector and District Magistrate,
Guntur.

NOTIFICATION

In view of the recommendations of the District Level Scrutiny Committee and in exercise of the powers conferred under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Community Certificate Act 16 of 1993 read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated vide G. O. Ms. No. 58, Social Welfare(J) Department, dated

12-5-1997, it is hereby declared that the "HINDU MALA (SC)" caste certificate issued by the then Tahsildar, Karlapalem on 30-12-2011 in respect of Velicherla Yesobu, S/o China Atchaiah is hereby cancelled.

S. SURESH KUMAR,
Collector and District Magistrate.

Guntur,
6th August, 2013.

[Rc. No. 1514/2012/C4

Copy of:-

PROCEEDINGS OF THE COLLECTOR & DISTRICT MAGISTRATE: GUNTUR

PRESENT: SRI S.SURESH KUMAR, I.A.S.,

[Procdgs Rc.No. 32/2002/C4, Date: 8-8-2013]

Sub : Caste verification-Guntur District- Tenali Town & Mandal - Verification of "Jakkula" community of K. Charumathi, D/o Kalpamanu Jagannadha Rao - Cancellation of "Jakkula" Caste certificate issued by the Tahsildar, Tenali on 19-08-1972 -Orders- issued.

Read :
1. Letter from Zonal Manager, Bank of India, Zonal Office, Hyderabad, dated 13-12-2001, 28-01-2002.
2. This office Lr. Rc. 32/2002/C4, dated 28-01-2002.
3. Writ Petition No. 7162/2002 in the High Court of Judicature, A. P., Hyderabad.
4. This office Notice Rc. 32/2002/C4, dated 12-11-2012 and 4-12-2012.
5. Reply letter from Mrs. M. Charumathi, W/o M.N.V.S. Narayana Murthy, Hyderabad.
6. Findings of the District Level Scrutiny Committee, dated 24-1-2013.
7. This office Notice, dated 29-2-2013.
8. Other connected papers.

* * *

ORDER :

The Zonal Manager, Bank of India, Zonal Office, Hyderabad requested to furnish the information on the following points while enclosing a photo copy of Caste Certificate which was issued to Smt. K. Charumathi D/o Kalpamanu Jagannadha Rao, H/o Tenali Village by the Tashildar, Tenali on 19-08-1972.

1. Jakkula as community was at all classified as SC/ST.

2. Such certificate issued by the Tahsildar, Tenali is genuine.

3. The caste continues to be SC/ST or whether it was subsequently notified, if so, from what date?

Further the Zonal Manager, Bank of India, Hyderabad stated that at the time of employment, Mrs. Charumathi produced attested Photostat copy of caste certificate and at the time of verification of the certificate, the Tahsildar, Tenali in his letter Rc. 1331/2001/A4, dated 3-1-2002 reported that as per G. O. Ms. No. 1798, Education, dated 23rd September, 1970 the Jakkula caste was categorized under BC-D at S.No. 9 and the records pertaining to the year 1972 were not available in Tahsildar's office, Tenali. The Zonal Manager, Bank of India, Hyderabad zone has requested to take appropriate decision on the caste status of the individual the certificate dated 19-08-1971 which was "Jakkula belonging to ST/SC cancel issued by the Tahsildar, Tenali same was referred to the Revenue Divisional Officer, Tenali with a direction to submit his report. In the meantime, Mrs. Charumathi Murthy, W/o M.N.V.S. Narayana Murthy has filed a writ petition No. 7162/2002 in the High Court of Judicature, A. P., Hyderabad which the Hon'ble High Court dismissed the case while giving direction to her approach concerned authorities for obtaining relief on her grievnce.

The Collector, Guntur on 5-11-2012 directed to place the matter before the District Level Scrutiny Committee for finalizing the verification of caste and social status of Smt. K. Charumathi D/o Jagannadha Rao. As per the instructions of the Joint Collector & Chairman of the District Level Scrutiny Committee, a notice was issued to the individual with a direction to attend before the committee for enquiry on 26-11-2012 and 24-12-2012.

In reply to the notices, Smt. K. Charumathi has filed a representation wherein she stated that the authorities of Bank of India dismissed her from service with effect from 22nd September, 2007 and since then she is not working in the bank and leading life as house wife. As per health is not permitting to move out, she requested to exempt her from personal appearance on 24-12-2012 and further stated that in rsponse of the notice dated 12-11-2012 which was received by her on 20-11-2012, she gave a reply dated 22-11-2012 and enclosed copy for reference and requested to close the matter and cancel the caste certificate issued to her.

In the reply dated 22-11-2012 Smt. K. Charumathi sated the following for consideration.

1. Her father, who was illiterate, approached Tahsildar,Tenali for issuance of caste certificate as Jakkula.

2. Tahsildar,Tenali issued caste certificate dated 19-08-1972 showing that her caste JAKKULA which is a Nomadic Tribe and was recognized as SC/ST (lists) modification order 1956 (copy of the certificate is enclosed).

3. As the certificate was issued by a competent authority in the Govt. there was no hesitation in accepting the same and she produced the certificate to Bank of India when she got employment in the year 1974. The Bank authorities also accepted the certificate and given her the employment.

4. Later the Bank authorities issued a memo stating that her community won't come under ST category and asked her to give explanation. As the Bank authorities not satisfied with her explanation, they conducted Departmental Enquiry in the year 2007 and DISMISSED HER FROM THE BANK SERVICE w.e.f. 22nd September, 2007.

5. Since then i.e., for more than 5 years, she is as a house wife. Now she could not move from her house due to severe spinal card problems. Presently, her vocal cards are not functioning properly due to attack of paralysis to that part resulting voice down by 80%. She is under going treatment for both the problems and filed copies of the medical reports.

6. She completed 62 years of age with above aliments unable to interact properly. The certificate issued by the Tahsildar is more than 40 years old and it was initially accepted by the Bank authorities in good faith, later she was lost the employment more than 5 years back, now she has not utilised the certificate for any other purpose and not enjoying any benefits.

After pursing the written statement and the record submitted by the individual the members of the DLSC came to a conclusion that the individual on her own admission obtained Jakkula caste certificate without producing any evidences and now she is not claiming to belonging to Jakkula caste any longer. She was also dismissed from the Bank job in the year 2007 as admitted by her the "Jakkula" (Nomadic) SC/ST caste certificate issued by the Tahsildar,Tenali to K. Charumathi, D/o Kalpamanu Jagannadha Rao is not a valid certificate as per guidelines vide G.O.Ms. No. 1798, Education, dated 23-9-1970.

Therefore, the District Level Scrutiny Committee opined that the "Jakkula" caste certificate dated 19-08-1972 issued to K. Charumathi, D/o Kalpamanu Jagannadha Rao is liable to be cancelled as the individual has not claimed to belong to Jakkula caste and not filed any evidences

in this regard and on her own admission she requested to drop further action in the matter.

Agreeing with the recommendations of the DLSC a notice was issued by the Collector, Guntur to show cause why the "JAKKULA" caste certificate issued by the Tahsildar,Tenali on 19-08-1972 to K. Charumathi, D/o Kalpamanu Jagannadha Rao should not be cancelled, basing on the recommendations of the DLSC. A considerable time has already elapsed. But no reply has been received from her. It is therefore construed that there is no further evidence and explanations for submission by the individual to support her caste claim.

In view of the above, I, S. Suresh Kumar, I.A.S., Collector & District Magistrate, Guntur in exercise of the powers conferred by the Government under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Community Certificates Act 16 of 1993 read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated in G. O. Ms. No. 58, Social Welfare Department, dated 12-5-1997, hereby cancel the JAKKULA caste certificate issued to Smt. K. Charumathi, D/o Jagannadha Rao, Native of Tenali Town and Mandal by the Tahsildar, Tenali on 19-08-1972.

A notification to this effect shall be published in the A. P.State Gazette.

An appeal lies to the Government against this order within 30 days from the date of receipt of this order.

S. SURESH KUMAR,
Collector and District Magistrate,
Guntur.

NOTIFICATION

In view of the recommendations of the District Level Scrutiny Committee and in exercise of the powers conferred under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Community Certificate Act 16 of 1993 read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated vide G. O. Ms. No. 58, Social Welfare(J) Department, dated 12-5-1997, it is hereby declared that the "JAKKULA" Caste Certificate issued by the then Tahsildar,Tenali on 19-08-1972 in respect of Smt. K. Charumathi, D/o Jagannadha Rao was hereby Cancelled as per the guidelines issued by the Government in Circular Memo No. 10956/CV.1/97-2, dated 16-2-1998.

S. SURESH KUMAR,
Collector and District Magistrate.

Guntur,
8th August, 2013.

[Rc. No. 32/2002/C4

Copy of:-

PROCEEDINGS OF THE COLLECTOR & DISTRICT MAGISTRATE: GUNTUR

PRESENT: SRI S.SURESH KUMAR, I.A.S.,

[Rc.No. 202/2013/C4, Date: 12-8-2013]

Sub : Caste verification-Guntur District- Guntur Town & Mandal - Verification of "Hindu Mala - SC" Caste certificate in respect of Golla Purushotham S/o Lakshmaiah issued by the Tahsildar, Guntur found genuine - Orders- issued.

Read :
1. Lr. No. GMTD-ADB/GP/Disc/FC/2013/04, dated 24/31-1-2013 of the Dy. General Manager (CM) O/o Senior General Manager, Bharath Sanchar Nigam Limited, Adilabad Telecom District, Adilabad.
2. Complaint letter dated 5-12-2012 of Baveda Sunil, Adilabad.
3. Lr. No.TA/SCT/NCC/GPM, Sr.TOA/ADB/2012-13/2, dated 18-12-2012 of the SDE (SCT) O/o CGMT,AP Circle, Hyderabad.
4. This Office Notice Rc. 202/

2013/C4, dated 30-3-2013.

5. Findings of the District Level Scrutiny Committee dated 9-5-2013.
6. Other connected papers.

* * *

ORDER :

The Deputy General Manager (CM), Bharath Sanchar Nigam, Adilabad Telecom District, Adilabad has informed that Sri Golla Purushotham was appointed as Telecom Office Assistant (TOA) in the office of Telecom District Engineer, Adilabad w.e.f. 14-6-1990 under category of Scheduled Caste and a complaint letter dated 5-12-2012 from Sri Baveda Sunil, Adilabad with the Caste certificate issued by the Mandal Revenue Officer, Guntur, Educational Certificate, i.e., SSC/Intermediate certificates are enclosed and requested to conduct through enquiry into the contents of the petition and genuineness of the certificates and send report to their office for further necessary action.

It is submitted that a complaint against Sri Golla Purushotham S/o Lakshmaiah lodged by Sri Baveda Sunil, resident of Sundraihnagar, Adilabad alleging that one Central Government Employee who is the native of Guntur District namely Purushottam G. had written his SSC examination in the name & Style as ABRAHAM PURUSHOTTAM GOLLA and he further appeared for Intermediate examination in the name & style as PURUSHOTTAM G. by manipulating his name and claiming himself as he is Scheduled Caste candidate and got selected as Senior T.O.G. in Head Office, General Manager, Telecom Depot, Adilabad. In view of the above facts, the complaint requested necessary enquiry and through investigation into the caste claim of Purushottam G. as it is alleged that he fraudulently derived the benefits by obtaining the SC caste certificate, the benefits meant for the gunuine SCs.

In view of the above, the Collector, Guntur has instructed on 12-3-2013, to refer the matter to the District Level Scrutiny Committee, Accordingly the matter was referred to the DLSC. The District Level Scrutiny Committee issued a notice to Sri Golla Purushotham S/o Lakshmaiah to attend before the DLSC on 22-4-2013 regarding the issue of deciding 'MALA - SC" caste claim of the individual. The individual with his brother Golla Prabhakara Rao and Golla Arun Kumar, activist Dalith Assosiations who is also the brother of Golla Purushotham have attended before the DLSC and filed documentary evidence to show that they belong to S.C. Community.

In the representation the individual stated that he is an original resident of Shivaramanagar, Chuttugunta of Guntur Town, The family members i.e., Parents and seven brothers brought by Hindu culture and tradition, his forefathers also being to SC (Mala) community under the category of Scheduled Caste. His father was an admirer of the great leaders especially the father of Democracy ABRAHAM LINCOLN and the LORD PURUSHOTHAM who were the champions of DEMOCRACY and Hindu Law respectively, on the basis of which our constitution was drawn. He and his family members never christened or practiced Christianity. Further stated that misunderstood by the school authorities at the time of admission, it is wrongly entered his religion as Christian. His father came to know that the mistake occured at Secondary School Level by the School authorities and to avoid future consequences and confusion, his father approached the Arya Samajam, Tenali in 1978 and filed an affidavit before the Hon'ble Court of District Munsif Magistrate, Guntur and obtained award. Therefore, in all official records, his religion was recorded as Hindu. He enclosed the SC caste certificate of his father and his three brothers namely 1. G. Prabhakar, 2. G. Mohan and G. Koteswara Rao.

1. Family Members certificate of the deceased Neela Devammanimma W/o Golla Lakshmaiah. (un attested copy).
2. Transfer Certificate issued by the Principal, Andhra Christian College, Guntur on 10-7-1981 vide Admission No. 409, year 1978-80. (un attested copy).
3. Caste and Comunity Certificate issued to Sri Golla Purushottam S/o Golla Lakshmiaih by the Tahsildar, Guntur vide D. Dis. No. 3450/78, dated 4-9-1978 (un attested copy).
4. Caste Certificate issued to Golla

Purushottam S/o Golla Lakshmaiah by the Tahsildar, Guntur vide 2121/13, dated 30-1-2013 (un attested copy).

5. SSC certificate of Abraham Purushottam Golla S/o Lakshmaiah (un attested copy).

6. SUDHI SAMSKARA PRAMANA PATRAM issued by the President, ARYA SAMAJAM, Tenali (un attested copy).

7. Community, Nativity and Date of Birth Certificate issued by the Mandal Revenue Officer, Guntur to Golla Koteswara Rao S/o Golla Lakshmaiah vide Certificate No. 003458, dated 13-4-1998. (un attested copy).

8. Community, Nativity and Date of Birth Certifcate issued by the Mandal Revenue Officer, Guntur to Golla Mohan Rao, S/o Lakshmaiah vide Certificate No. 003156, dated 19-5-2000 (un attested copy).

9. Transfer certificate No. 602, dated 20-6-1986 issued by the Head Master, Z.P.High School, Vinukonda to Golla Prabhakara Rao, S/o Lakshmaiah (un attested copy).

10. Secondary School Leaving Certificate of Sri Golla Lakshmaiah S/o Kotaiah issued by the Head Master, Board High School, Kollipara dated 28-9-1948. (un attested copy).

11. Affidavit copy.

The District Level Scrutiny Committee reviewed the documentary evidence furnished by the individual before the DLSC and opined that Sri Golla Purushottam S/o Lakshmaiah belongs to "Hindu Mala - SC" and the temporary caste certificate issued by the Tahsildar, Guntur is genuinely issued.

Accordinly, the District Level Scrutiny Committee concluded that the individual Sri Golla Purushotham, S/o Lakshmaiah belongs to "Hindu Mala - SC" There is no contradiction on this.

In view of the above, I, S. Suresh Kumar, I.A.S., Collector & District Magistrate, Guntur in exercise of the powers conferred under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Community Certificate Act 16 of 1993 read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated vide G.O. Ms. No. 58, Social Welfare(J) Department, dated 12-5-1997 and G. O. Ms. No. 371, dated 13-4-1996, hold that the Hindu Mala - SC caste certificate issued to Sri Golla Purushotham S/o Lakshmaiah by the Tahsildar, Guntur is genuine one.

A notification to this effect shall be published in the District Gazette extraordinary.

S. SURESH KUMAR,
Collector and District Magistrate,
Guntur.

NOTIFICATION

In view of the recommendations of the District Level Scrutiny Committee and in exercise of the powers conferred under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Comunity Certificate Act 16 of 1993 read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated vide G. O. Ms. No. 58, Social Welfare(J) Department, dated 12-5-1997 and G. O. Ms. No. 371, dated 13-4-1996, it is hereby declared that the "Hindu Mala - SC" caste Certificate issued to Sri Golla Purushotham S/o Lakshmaiah by the Mandal Revenu Officer, Guntur vide dated 6-5-1985 is genuine only.

S. SURESH KUMAR,
Collector and District Magistrate.

Guntur,
12th August, 2013.

[Rc. No. 202/2013/C4

Copy of:-

PROCEEDINGS OF THE COLLECTOR & DISTRICT MAGISTRATE: GUNTUR

PRESENT: SRI S.SURESH KUMAR, I.A.S.

[Procdgs Rc.No.1838/2011/C4, Date: 8-8-2013]

Sub : Caste verification-Guntur District- GunturTown & Mandal - Verification of Yerukula - ST community in respect of Smt. Annampalli Sridevi, D/o A. Ramaiah (Merit Rank No. 1605) who is an applicant for admission into B.Ed. Course for the year 2011-12 under ST Quota - Cancellation of Caste certificate issued by the Mandal Revenue Officer, Guntur vide Certificate No. 15541, dated 16-5-2002 - Orders- issued.

Read :
1. Lr. Rc. 1671/2011/TRI/VC-4, dated -12-2011 of the Commissioner of Tribal Welfare, Masab Tank, Hyderabad.
2. This office Notice dated 6-11-2012.
3. Findings of the DLSC, dated 28-12-2012.
4. This office Notice dated 13-2-2013.
5. Reply of Smt. Annampalli Sridevi, D/o Ramaiah, dated 18-3-2013.
6. This Office Notice, dated 30-4-2013.
7. Reply of Smt. Annampalli Sridevi, D/o Ramaiah, dated 17-6-2013.
8. Other connected papers.

* * *

ORDER :

The Commissioner of Tribal Welfare, A.P., Hyderabad has informed that Smt. Annampalli Sridevi, D/o Ramaiah, (Merit Rank No. 16705) is an applicant for admission into B.Ed. course 2011-12 under ST quota on the strength of community certificate issued by the Mandal Revenue Officer, Guntur vide certificate No. 15541, dated 16-5-2002 as she belongs to Yerukula ST.

The Commissioner for Tribal Welfare further informed that the individual had attended in their office on 11-11-2011 and furnished genealogical and ethnographic information about her community and family and claimed her ST status. After careful examination of the genealogical and ethnographic information, it is found that :

1. She claims to belong Yerukula Tribe.

2. But the applicant could not substantiate her claim with oral evidence about the community.

3. The candidate does not know the tribal dialect of Yerukula.

4. The Surname Annampalli of the applicant is uncommon among YERUKULA Tribe.

Finally, the Commissioner for Tribal Welfare, Hyderabad has requested to conduct detailed enquiry about the social status claim of the candidate and place the matter before DLSC as per Act 16 of 1993 and Rules there under, and the action taken in the matter may be intimated to the Convenor, B.Ed., 2011-12 Admissions, Osmania University,A.P., Hyderabad directly under intimation to their office and enclosed the Xerox copies of the caste certificate and other relevant certificates filed by the individual.

In the above circumstances, the Collector, Guntur directed to place the matter before the District Level Scrutiny Committee for finalizing the verification of "YERUKULA - ST" caste status of Smt. Annampalli Sridevi, D/o Ramaiah.

As per the instructions of the Joint Collector & Chairman of the District Level Scrutiny Committee, a notice was issued to the individual with a direction to attend before the Committee on 26-11-2012 at 3.00 PM. The individual attended before the committee and filed written statement along with the xerox copies of the following certificates etc., to support her caste claim.

1. Community, Nativity and Date of Birth Certificate No. 15541, dated 16-5-2002 issued by the Mandal Revenue Officer, Guntur.

2. Degree issued by the Controller of Examinations, Andhra University, Visakhapatnam dated 20-12-2011.

3. Provisional Certificate issued by the Addl. Controller of Examinations, Andhra University, Visakhapatnam, dated 11-1-2011.

4. Secondary School Certificate issued by the Secretary, Board of Secondary Education, Hyderabad.

5. "DOMMARA" Caste certificate of Annapureddy Venkateswarlu S/o A. Subbaiah issued by the Tahsildar, Guntur, dated 27-6-2012.

6. Hall Ticket of SSC Public Examination of Annampalli Naga Bhaskar (Blood relative).

7. Application for Post-Matric Scholarship of Annampalli Ravi (Peternal side blood relative) Chandra S/o Mallikarjuna Rao under Yerukula-ST.

8. Admission card for Regular Candidates of Annampalli Ravi Chandra, S/o Mallikarjuna Rao (Peternal blood relative).

9. Secondary School Certificate of Annampalli V. Padma Rao, S/o Ramaiah (Brother of the individual).

10. Ration Card of Annampalli Krishna (Paternal side blood relative).

11. Temporary Caste certificate of Annamapalli Ramaiah S/o Venkateswarlu issued by the Tahsildar, Guntur (father of the individual).

12. Ration Card of Annampalli Chinnammaie, Annampalli Venkata Padma Rao (Paternal blood relative of the individual).

13. Transfer Certificate of Sridevi Annampalli issued by the Principal, Sri Venkateswara Bala Kuteer, College of Education, Chowdavaram, Guntur.

14. Transfer Certificate of Ghana Shyam Kumar Annapureddy, S/o Venkateswarlu issued by the Head Master, Bhashyam High School, Guntur (son of the individual).

15. Secondary School Certificate of Annapureddy Ghana Shyam Kumar, S/o Venkateswarlu.

16. Ninth Class pass certificate of Annapureddy Raj Gopal Sai Suresh, S/o A. Venkateswarlu.

17. Seventh Class pass certificate of Raja Gopal Sai Suresh Annapureddy, S/o A. Venkateswarlu.

18. "Dommara" Caste certificate of Annapureddy Ghana Shyam Babu, S/o Venkteswarlu issued by the Tahsildar, Guntur.

Annampalli Sridevi stated that she belongs to Yerukula - ST and their Gotram is "Kavadi" Annampalli Venkataiah S/o Kotaiah is her Great Grand Father; Venkateswarlu - Grand Father; Ramaiah is the name of her father and Rosaiah is her paternal uncle. Her mother's name if Kumbha Nagamma D/o Kotaiah, meternal uncle's name is Kumbha Nagaiah and their Gotram "Satupadu". Their relatives are Smt. Annampalli Chinnammai, W/o Mallikarjuna Rao and they had one son who studied 10th Class in Korukonda Sainik School. By nature of community, all the families are nomadic but they lived in Guntur. Annampalli Sridevi further stated that she married Annapureddy Venkateswarlu by caste "DOMMARA - BC (A) and their children claims "DOMMARA - BC (A) caste. She claimed to belong to YERUKULA -ST caste and requested to consider the same.

Government of Andhra Pradesh, Hyderabad in their G. O.Ms.No. 371, Employment & Social Welfare (B2) Department, dated 13-4-1976 communicated a Copy of Lr. No. 39/37/1973-SCT. I, dated 4-3-1975 of Government of

India, Ministry of Home Affairs, New Delhi. As per the guidelines of the Government of India Annexure-II, Legal views on the status of the off spring born out of wedlock between a couple one of whom is a member of Scheduled Tribe Community, para 4 says that in the case of marriage between a tribal with a non-tribal, the main fact or consideration is whether the couple were accepted by the society to which the tribal spouse belongs. If he or she, as the case may be, is accepted by the Society, then their children shall be deemed to be Scheduled Tribes. But this situation can normally happen when the husband is a member of the Scheduled Tribe. However circumstances may be there when a Scheduled Tribe woman may have children from marriage with a non-Scheduled Tribe man. In that event, the children may be treated as Scheduled Tribes only if the members of the Scheduled Tribe Community accept them and treat them as members of their own community.

"The caste - status of a person in the context would necessarily have to be determined in the light of the recognition received by him from the members of the caste into which he seeks an entry."

Para 5 As mentioned above, it is the recognition and acceptance by the society of the children born out of a marriage between a member of Scheduled Tribe with an outsider, which is the main determining factor irrespective of whether the Tribe is matriarchal or patriarchal. The final result will always depend on whether the child was accepted as a member of the Scheduled Tribe or not.

As per Circular Memo No. 10956/CV.I/97-2, dated 16-2-1998, para III Children of the Inter - Caste Marriages says that the G.O. Ms. No. 371, Social Welfare Department, dated 13-4-1976 laid down the norms required to be followed while issuing community certificates to the children born to the inter-caste married couples. These instructions are reiterated with a modification that the off- spring of such couples cannot automatically claim the social status of the parent belonging to Scheduled Caste/Secheduled Tribe but the competent Authority must satisfy himself that the child has been accepted by the Scheduled Caste / Scheduled Tribes as member of their community and has been brought up in that surroundings.

Observing from the above G.O. and guidelines of the Government of India State Government, it is pertinent to note that the determination of caste of the children of inter caste couple mainly depends on the acceptability and brought up of the children in the claimed community and not mere claim of the caste of one of the parent entitle them to belong to that caste.

The District Level Scrutiny Committee reviewed the statement and records submitted by the individual, came to a view that the individual failed to produce any concrete evidence in support of her YERUKULA-ST claim. She did not produce any recorded evidence and her brought up is completely in Guntur. The candidate does not know their tribal dialect and she married Dommara caste person. It shows that the there is no acceptance of the YERUKULA community people.

Accordingly the District Level Scrutiny Committee opines that in the event of failure of the individual to prove her caste claim as "YERUKULA-ST" caste certificate issued by the Mandal Revenue Officer, Guntur vide Certificate No. 15541, dated 16-5-2002 to Annampalli Sridevi D/o Ramiaih is liable to cancelled in view of the guidelines issued by the Government in circular Memo No. 10956/C V.1/97-2, dated 16-2-1998.

Agreeing with the recommendations of the DLSC a final notice was issued by the Collector, Guntur to Annampalli Sridevi D/o Ramaiah to show cause within 15 (fifteen) days of receipt of the notice as to why the "Yerukula - ST" caste certificate issued by the Mandal Revenue Officer, Guntur vide Certificate No. 15541, dated 16-5-2002 should be cancelled in view of the guidelines issued by the Government circular Memo No. 10956/CV.1/97-2, dated 16-2-1998.

Smt. Annamapalli Sridevi D/o Ramaiah has filed reply to the notice dated 13-2-2013 issued by the Collector, stating that she belongs to YERUKULA-ST. Previously, all the families are nomadics, they used to shifting their families from one place to another place for their livelihood and also changed their surnames also. She further stated that, after a long gap between primary and higher education she is only person to complete B.A., B.Ed.,

in their community, due to economical problem, she stated that many of her blood relatives discontinued their education at the stage of 5th to 10th classes. Because of this reason it has become much difficult to as certain and produce the caste certificates of the blood relatives to support her caste claim. She further stated that her marriage is inter caste. She claimed the caste of her husband to her children. Finally, she has requested one month time to secure the witnesses on her side and also requested to examine the documents submitted before the DLSC once again sympathetically. The request of the individual was considered by the Collector, Guntur and she was granted time.

After availing the time granted to her, the individual has filed reply on 17-6-2013 stating that she has submitted the xerox copies of the certificates of her father and blood relatives to support her caste claim. She further stated that most of the people of their community are illiterates and they are eking their livelihood by cooli. Her father knows the language of YERUKULA. She feeds the family as her husband is in poor health. She continued her studies and pursued higher education after a long gap i.e., 12 years. Finally she requested to consider her case sympathetically and issue orders positively as she is YERUKULA -ST and she married Dommara - BC(A), their children also claim DOMMARA - BC (A) Caste. She filed the following documents of her blood relatives for perusal.

1. Letter of Sri Thokala Sri Ramakrishna, Legal Advisor, Girijana Samkshema Seva Sangham, A.P, Vijayawada.

2. Photo Identity Card of Sri Annampalli Ramaiah, S/o Venkateswarlu (father of the individual).

3. Temporary Caste Certificate and Residence Certificate of Sri Annampalli Ramaiah, S/o Venkateswarlu issued by the Tahsildar, Guntur.
4. Household Card of Sri Annampalli Chinna Ramaiah, S/o Venkateswarlu.
5. Pattadar Pass Book of Sri Annampalli Ramaiah, S/o Venkateswarlu issued by the Tahsildar, Nekarikallu Mandal.
6. Property Certificate of Sri Annampalli Ramaiah, S/o Venkateswarlu issued by the Tahsildar, Nekarikallu Mandal.

7. Secondary School Certificate of Sri Annampalli Venkata Padma Rao, S/o Ramaiah issued by the Board of Secondary Education, A.P., Hyderabad (brother of the individual).
8. Residence Certificate and Temporary Caste Certificate of Sri Annampalli Venkata Padma Rao , S/o Ramaiah issued by the Mandal Revenue Officer, Guntur (Brother of the individual).

9. Photo Identity Card and House Hold Card of Sri Annampalli Venkata Padma Rao, S/o Ramaiah.

10. Permanent caste certificate of SriAnnampalli Veeraiah Murthy, S/o Ramaiah (brother of the individual).

11. Secondary School Certificate of SriAnnampalli Veeraiah Murthy, S/o Ramaiah issued by the Board of Secondary Education, A.P., Hyderabad.

12. Aadhaar Card of Annampalli Mangamma, D/o Venkateswarlu, Srinivasa Nagar, Narasaraopet (blood relative of the individual).
13. Study & Conduct Certificate of Annampalli Mangamma, D/o Venkateswarlu issued by the Principal, A.M. Reddy Memorial College of Pharmacy, Narasaraopet.
14. Intermediate Pass Certificate cum Memorandum of Marks of Annampalli Mangamma, D/o Venkateswarlu issued by the Board of Intermediate Education, A.P., Hyderabad.
15. Peramanent Caste Certificate and Residence Certificate of Annampalli Mangamma, D/o Venkateswarlu issued by the Tahsildar, Narasaraopet.
16. Income Certificate for fee Reimbursement of Annampalli Venkateswarlu, F/o Mangamma issued by the Tahsildar, Narasaraopet (peternal relative of the individual).

17. Secondary School Certificate, Intermediate Pass Certificate cum Memorandum of Marks of Annampalli Lakshmaiah, S/o Venkateswarlu. (peternal relative).

18. S.S.C. Public Examinations Hall Ticket of Annampalli Sirisha, D/o Annampalli Venkateswarlu (blood relative).

19. Secondary School Certificate of Annampalli Durga Prasad, S/o Venkateswarlu issued by the Board of Secondary Education, A.P., Hyderabad (blood relative).

20. S.S.C. Public Examinations Hall Ticket of Annampalli Naga Bhaskar, S/o Sivaiah (Blood relative).

21. Photo Indentity Card of Annampalli Naga Salini, W/o Murthy, R/o ST Colony, Kandlagunta, Nekarikallu Mandal, Guntur District (blood relative).

22. Photo Identity Card of Annampalli Murthy, S/o Ramaiah, R/o ST Colony, Kandlagunta, Nekarikallu Mandal, Guntur District (relative).

23. Aadhaar Card and House Hold Card of Smt. Annampalli Chinnamayi, W/o Mallikarjuna Rao (Peternal aunt).

24. Study & Conduct Certificate, Central Board of Secondary Education Marks Statement, Transfer Certificate of Annampalli Trinadh, S/o Mallikarjuna Rao (Blood relative).

25. Permanent Caste Certificate of Sri Annampalli Trinadh, S/o Mallikarjuna Rao issued by the Tahsildar, Guntur on 5-6-2012.

26. Permanent Caste Certificate of Sri Annampalli Ravichandra, S/o Mallikarjuna Rao issued by the Tahsildar, Guntur on 26-5-2003.

27. Study & Conduct Certificate, Transfer Certificate, Central Board of Secondary Education, Delhi, Application for Post Matric Scholarship 2010-11, Marks statement for Secondary School Examination, 2008 and Marks statement Senior School Certificate Examination, 2010 of Annampalli Ravichandra, S/o Mallikarjuana Rao (Relative).

28. Aadhaar Card and Temporary Caste certificate of Annampalli Manasa Sai, D/o Venkata Padma Rao (Brother's daughter).

In this connection it is noticed that the individual not produced school TC relating to primary education the name of the school where she studied upto Vth Class and upto IX Class. She has not produced the caste certificates of her mother. She has not produced her blood relatives to adduce evidence. She does not know the YERUKULA (ST) dialect. She has not produced birth certificate to prove that Annampalli Ramaiah is her father.

In view of the findings of the DLSC signed on 28-12-2012 that Annampalli Sridevi, D/o Ramaiah not produced valid evidence to prove her caste status as Yerukula - ST the certificate dated 16-5-2002 issued by the Mandal Revenue Officer, Guntur is liable for cancellation.

In the circumstances stated above, I, S. Suresh Kumar, I.A.S., Collector & District Magistrate, Guntur in exercise of the powers conferred by the Government under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Community Certificate Act 16 of 1993 read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated vide G. O. Ms. No. 58, Social Welfare Department, dated 12-5-1997, hereby cancel the YERUKULA -ST caste certificate issued to Smt. Annampalli Sridevi, D/o Ramaiah by the Mandal Revenue Officer, Guntur Mandal vide certificate No. 15541, dated 16-5-2002.

A notification to this effect shall be published in the A. P. State Gazette.

An appeal lies to the Government against this order within 30 days from the date of receipt of this order.

S. SURESH KUMAR,
Collector and District Magistrate,
Guntur.

NOTIFICATION

In view of the recommendations of the District Level Scrutiny Committee and in exercise of the powers conferred under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Community Certificate Act 16 of 1993 read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated vide G. O. Ms. No. 58, Social W elfare(J) Department, dated 12-5-1997, it is hereby declared that the "YERUKULA- ST" Caste Certificate issued by the Mandal Revenue Of ficer, Guntur vide certificate No. 15541, dated 16-5-2002 to Smt.Annampalli Sridevi, D/o Ramaiah has been cancelled in view of the guidelines issued by the Government in Circular Memo No. 10956/CV.1/97-2, dated 16-2-1998.

S. SURESH KUMAR,
Collector and District Magistrate.

Guntur,
8th August, 2013.

[Rc. No. 1838/2011/C4

ముద్రణ కమీషనరుగారిచే ప్రభుత్వ ప్రాంతీయ ముద్రణాలయము, విజయవాడనందు ముద్రించబడి, జిల్లా కలెక్టరుగారిచే ప్రచురించబడినది.